

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

JOHN DOE,	)	
	)	
Plaintiff	)	Case No. 16-cv-08298
v.	)	
	)	Judge Edmond Chang
UNIVERSITY OF CHICAGO,	)	
	)	
Defendant.	)	

**DEFENDANT UNIVERSITY OF CHICAGO’S UNOPPOSED MOTION  
FOR LEAVE TO FILE ITS MEMORANDUM IN SUPPORT OF ITS  
RULE 12(b)(6) MOTION TO DISMISS IN EXCESS OF 15 PAGES**

Defendant, the University of Chicago (the “University”), through its undersigned counsel, hereby moves for leave to file its Memorandum in Support of its Rule 12(b)(6) Motion to Dismiss in excess of 15 pages. In support of this unopposed motion, the University states as follows:

1. This case began on August 24, 2016, when Plaintiff filed a Motion for Temporary Restraining Order (“TRO Motion”), along with a Verified Complaint against the University and individually named defendant Jane Doe asserting claims under Title IX and various common law theories. (Doc. 1, 4.) As this Court is aware, the TRO Motion was denied, as was the converted motion for preliminary injunction. (Doc. 11, 36.)

2. Now, Plaintiff has filed a First Verified Amended Complaint, alleging the following six claims: Title IX Hostile Environment / Sexual Harassment and/or Discrimination (Count I); Title IX Retaliation (Count II); Title IX Selective Enforcement (Count III); Promissory Estoppel (Count IV); Negligent Infliction of Emotional Distress (Count V); and Intentional Infliction of Emotional Distress (Count VI). The University is moving to dismiss Plaintiff’s Amended Complaint in its entirety, pursuant to Rule 12(b)(6).

3. Local Rule 7.1 states that a brief in support of a motion “shall not exceed 15 pages without prior approval of the court.” In order to adequately refute the claims alleged by Plaintiff, and to fully and fairly present the relevant factual issues raised by those claims, the University respectfully requests leave to exceed the limits prescribed in Local Rule 7.1.

4. Good cause exists for granting the University’s motion. Plaintiff’s Amended Complaint spans a total of 115 pages including exhibits, is laden with facts that span the course of numerous years, raises Title IX claims that require application of multiple theories, and introduces three common law claims that require separate analyses. In short, due to the sheer length, complexity of the pleading itself, and legal analysis required to rebut all six of the claims alleged, the University asks that it be granted leave to file additional pages in its memorandum in support in order to fully respond to the Amended Complaint.

5. Plaintiff will not suffer prejudice by the granting of this motion.

6. Counsel for the University has conferred with counsel for Plaintiff, who has no objection to the instant motion, provided the University agrees not to oppose the following anticipated motions by Plaintiff: (a) a motion to request additional pages to respond to the University’s motion to dismiss and (b) a motion for an extension of time to respond to the University’s motion to dismiss, to a date in early April as set by this Court. The University confirmed with counsel for Plaintiff that it has no objection to the aforementioned motions as described.

WHEREFORE, the University respectfully requests that the Court grant leave to file its Memorandum in Support of its Rule 12(b)(6) Motion to Dismiss in excess of 15-page limit.

Respectfully submitted,

THE UNIVERSITY OF CHICAGO

By: /s/Katelan E. Little  
One of Its Attorneys

Peter G. Land (06229659)  
pgl@franczek.com  
Katelan E. Little (06309560)  
kel@franczek.com  
Franczek Radelet P.C.  
300 S. Wacker Drive, Suite 3400  
Chicago, IL 60606  
(312) 986-0300

Dated: March 2, 2017

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that she caused a true and correct copy of the foregoing Defendant The University of Chicago's Unopposed Motion for Leave to File Its Memorandum In Support of Its Rule 12(b)(6) Motion to Dismiss in Excess of 15 Pages to be served on the attorneys of record listed below by filing the foregoing electronically using the CM/ECF filing system on this 2<sup>nd</sup> day of March, 2017:

Eric J. Rosenberg  
Tracy L. Turner  
Rosenberg & Ball Co. LPA  
395 North Pearl Street  
Granville, Ohio 43023

Chad Nold  
Daliah Saper  
Saper Law Offices, LLC  
505 North LaSalle Street  
Suite 350  
Chicago, IL 60654

Erik L. Andersen  
Cassiday, Schade & Gloor  
20 North Wacker Drive  
Suite 1000  
Chicago, IL 60606-2903

/s/Katelan E. Little